

Exhibit A

Grievances:

While in the Davis County Correctional Facility, you have the right to file a grievance relating to any condition of confinement, including but not limited to: medical care, classification actions, disciplinary procedures, food, clothing and bedding.

First speak to your Housing Unit Deputy. He/ She may have a solution to your problem. If this doesn't resolve your problem, you may file a formal grievance. Your grievances are expressed on the Inmate Request and Grievance Form, which can be found on the Kiosk.

You may NOT grieve decisions handed down by the courts, or disciplinary sanctions imposed by the Disciplinary Hearing board. You may appeal the sanctions of the disciplinary hearing process by submitting a disciplinary appeal request on the kiosk.

Mail:

Outgoing Mail: You may send as much mail as you wish as long as you have sufficient funds on your commissary account. Outgoing mail is subject to be checked. Mail sent to the courts or attorneys will be considered confidential, but may be checked for contraband in your presence. Legal mail is only considered "LEGAL" if it is sent to the address of an Attorney or Court.

You may not write letters to other inmates housed in the Davis County Jail unless they are immediate family. Proof must be available.

1. Pictures or drawings are not allowed on envelopes. Any envelopes with pictures or drawings may be returned to you.

2. The following return address must be included on the top left hand corner of the envelope:

Your name

Inmate booking number

Davis County Correctional Facility

P. O. Box 130

Farmington, Utah 84025

3. All letters must have complete sender's name and address. Letters will be returned if not complete.

4. If you are indigent under the commissary rules, you may receive two envelopes, with two sheets of paper each, per week, from the Commissary Inmate Welfare program. Inmates' commissary accounts will be charged for all orders.

Davis County Correctional Facility

Inmate Handbook

INMATE COPY

520.00 GRIEVANCE PROCEDURE

A. In the interest of inmate rights, and allowing them redress to perceived violations of their rights, a grievance procedure will be in place. The intent of the grievance process is to benefit inmates, jail officials, and the efficiency and equity of jail operations.

B. If an inmate has a grievance concerning a situation or a person, the grievance may be filed on an Inmate Request Form.

1. All grievances should first be addressed, and resolved if possible, by the Housing Deputy

2. If the Housing Unit Deputy cannot resolve the problem, or they are the subject of the grievance, the grievance will be forwarded to the Watch Commander

3. If the Housing Unit Deputy or the Watch Commander cannot immediately resolve the complaint, the grievance will be forwarded to the Classification Section for examination.

a. An initial response on the grievance will be returned to the grieving inmate with five (5) working days by the Classification Section.

b. Recommendations will be made to the Division Commander regarding the grievance.

4. Grievances may be forward to any appropriate level of command, including the Sheriff.

a. All grievances should begin at the lowest level possible. Grievances filed at higher levels may be sent to the appropriate level for resolution or investigation.

5. Certain inmate problems or grievances may need to receive, or at least expedited handling. These types of grievances will be handled immediately by the deputy who receives the grievance or he will take the grievance directly to the Watch Commander. Examples of these types of grievances include but are not limited to:

a. medical treatment

b. fire and life-safety complaints

c claims concerning missed release dates

d. other matters for which delay would significantly prejudice the inmate

6. Staff retaliation against an inmate for filing a grievance is prohibited.

C. Scope of Grievance Issues

1. The following are appropriate areas for the submission of grievances

a. The substance, interpretation, and application of policies, rules, and procedures of the Davis County Correctional Facility affecting an inmate personally.

b. Individual employee and inmate actions affecting the inmate personally, including denial of access to the grievance procedure.

INMATE COPY

- c. Any reprisals against inmates by staff for filing a grievance or using the grievance system.
 - d. Any other matter relating to the conditions of confinement or care within the Davis County Correctional Facility or Work Center.
- D. Inappropriate Grievance Issues
- 1. Federal and State Court decisions.
 - 2. Federal, State or County laws and regulations.
 - 3. Disciplinary Board decisions.
- a. Generally not a grievable issue unless some aspect of the disciplinary process is handled incorrectly.
- 4. Other matters beyond the control of the Davis County Correctional Facility.
 - 5. An inmate's classification level.
 - 6. An inmate's housing assignment.
- E. Frivolous grievances are a violation of jail policy and will be denied. Disciplinary sanctions may be assessed for filing frivolous grievances.
- F. Grievances must be filed within ten (10) days of the grievable event.
- G. Inmates must exhaust all administrative remedies before pursuing legal action for alleged inmate rights violations.

Davis County Correctional Facility

Policy and Procedures Manual

Revised April 25 2017

INMATE COPY

ALLEGATION(S)

1. On September 26, 2020, the plaintiff was ordered by officers SC Lewis to allow Correctional officers to put cuffs on him and then move units from Pod 6 Quebec Housing Unit, which was the plaintiff's current housing unit, to Pod 2 Fox Housing Unit, which was the S.H.U. for disciplinary housing, followed by the search and seizure of the plaintiff's legal mail that morning around 0900 hours.
2. At around 1030 hours, Sergeant Hutchinson entered the Pod 6 Housing Unit, for the second time since the search and seizure, and when asked by the plaintiff "what was going on and if he should get ready to go to Fox?", Sergeant Hutchinson ignored him.
3. At around 1100 hours, the entire housing unit was told by the JCS to lock down for lunch. It was during this time that the plaintiff was approached by SC Lewis and many other Correctional officers while locked down inside cell 21 in the Quebec Housing Unit. The plaintiff requested permission to pack his own property and wanted to know why he was being punished. When officer SC Lewis denied his request and refused to answer his question, the plaintiff was then only being argumentative and posed no threat.
4. At around 1910 hours, CERT members, Sergeant Hutchinson, Corporal T. Nix, officer Bunnell, officer Terrell, officer SC Lewis, and officer Major, entered Quebec Housing Unit. Meanwhile before this occurred, at 1624, Sergeant Hutchinson received clearance from Captain Meldrum that the CERT team would be activated to assist in the movement of Abreu.

Before entering the Quebec Housing Unit, all of the requested CERT team members, Sergeant Hutchinson, Corporal T. Nix, officer

Rummel, officer Terrell, officer SC Lewis, and officer Major, arrived to the Briefing Room where Sergeant Hutchinson informed the CERT team that inmate Abreu had barricaded himself inside his cell. Sergeant Hutchinson stated Abreu would be moved from Quebec to Fox. Sergeant Hutchinson also reported that inmate Abreu was incarcerated for charges of attempted homicide, kidnapping and assault (I think it is important to note that those are not my correct charges for purposes of argument later regarding such briefing being misinformed, misleading, and a misrepresentation of the plaintiff's reputation and person by Sergeant Hutchinson and those involved.) Sergeant Hutchinson also reported misleading information that inmate Abreu had a razor and weapons in his cell while in Davis County Jail. Sergeant Hutchinson also reported that inmate Abreu flooded his cell, covered the window of the cell to prevent anyone from seeing inside, and that he also had a history of assault. The CERT team was also informed by Sergeant Hutchinson that Abreu was refusing to cooperate and he was also making preparations to fight.

5. Because of being misinformed, mislead, and there being a misrepresentation of the plaintiff's reputation and person by Sergeant Hutchinson and by other officers, CERT team members such as Terrell, Major, and SC Lewis decided that Abreu was preparing for a fight or that he was concealing a weapon of some kind, without having the plausible merits to do so, which resulted in the excessive force from defendants once contact was made and was provoked by skepticism, various pretense, and misjudgment that was subjective to each officer knowingly and unruly.

6. From the time the plaintiff was nearly peacefully approached by Correctional officers, at around 1100 hours, to the time CERT team members entered the cell to remove Abreu from with force, at around 1912 hours, not only is it clear to notice the change in attitude with SC Lewis based on his supplemental report and compared to his initial demeanor towards Abreu when contact was made before his briefing. No other contact or action was made to remedy the risk to the plaintiff's health or safety that was evident to the person in charge officially, Captain Meldrum, and where other officials, Sergeant Hutchinson, Corporal T. Nix, Correctional officer Christopher Rummel, Correctional officer Wilbert Terrell, Correctional officer SC Lewis, and Correctional officer Major, knew that something was cruel, or objectively unusual, and failed to remedy it or take action. Instead a conspiracy was drafted against Abreu based off of what has been mentioned thus far and of the unknown to the plaintiff, so much so, the agreed action between the defendants and others involved was the plan to use violence against a misrepresented perception of a violent plaintiff. The defendants failure to even attempt a remedy or a conversation to prevent a wrong shows the attitude and demeanor of each defendant and not that just of Correctional officer SC Lewis. The defendants, individually and as a group, knew of and disregarded the excessive risk to the plaintiff, the facility, the staff, and to the other inmates health or safety. It was determined by those in charge, Captain Meldrum and Sergeant Hutchinson, the course of action to give and receive clearance so that the CERT team would be activated to move Abreu without any mental, emotional, or physical communication given otherwise. Based off of Jail Incident Reports regarding the defendants summaries of

events from the day of and the incident to this claim, it is evident from the defendants perspectives and allegations that Abreu was flooding his cell and moving water out onto the tier from under his cell door. Abreu covered his window and was yelling erratically without rationality according to the defendants. It was also noticed by defendants that the cell, Quebec 21, was covered with blankets, water, trash, and what looked like food and other materials Abreu had inside his cell. With such observations made and the plaintiff being institutionalized for two years at the time of the incident, added to the lack of evidence but quick conclusion by the defendants to say that Abreu harmed himself without regard to the plaintiff's statements stating otherwise or the possibility of the facts present and missing that say different. The determined course of action by those in charge should have first considered emotional and mental distress then figured a remedy to the prevention of any current or potential risks to the health or safety of the plaintiff by offering and imposing a level of health services reasonably designed to meet emergency and then routine psychological care and medical treatment as the only means of force. Instead the defendants officially in charge made the choice to misjudge the plaintiff and profile him as some violent convict using only the information surrounded by their own personal conviction of him. And the facts used to brief the CERT team by Sergeant Hutchinson joined by what other officers used, such as Wilbert Terrell, who the plaintiff has written grievances on for unrelated incidents that involved profiling and harassment complaints in the past during the plaintiff's incarceration, not only were the facts used

pernicious but they were also frivolous or simply not true. Attention was purposely focused on the facts used by defendants to assess the situation and those specific facts used then created individual, as well as team incentive to use excessive force against the plaintiff by the named defendants as it was perceived through manipulation, imagination, and imagery that Abreu was violent to such force would be, or may be, necessary during his cell extraction in the minds of the defendants. With that thought of violence and the need of an excessive force being engraved, intentionally or not, in the minds of the defendants before the LERT team even entered the Overlook housing unit or the cell Abreu was to be removed from. In conclusion to the briefing between LERT team members and those officials in charge, implicating the plaintiff as a force of violence potentially life threatening only caused the defendants distress. That distress was inflicted upon the defendants before 1912, when they entered the cell the defendants were already influenced to use excessive force and that distress affected the view of each defendant coming into the plaintiff's cell and their ability to be rational with the need for force or if the need for force even arose. The need for force was already a factor without the need having to come from the plaintiff's actions. Being excessive force was acceptable with the need for force already in the minds of the defendants prior to the cell extraction. It did not matter if the plaintiff was only being argumentative and posed no threat. And emotional nor mental distress was ever to be considered on the plaintiff's behalf when the defendants had distress that amounted to only one course of action and that was violence with the need for force being created.

through selective facts and misrepresentation of the plaintiff by the defendants. Not once was Abreu viewed with the respects as a person, father, brother, or son when the defendants determined the need for the force. Abreu was viewed as a violent offender and such a conviction was made and used by defendants when actions against the plaintiff were considered, or not considered, and the need for the force was decided on by the defendants for use against the plaintiff. Incentive the defendants used for the force was based on views of the plaintiff that the defendants chose to look at rather than the reality of the situation, and were allegations that could of been argued at best, and were used to profile the plaintiff to determine the actions of the defendants that resulted in the use of force and then excessive force against the plaintiff without due process being given as the plaintiff still is, and was at the time a pretrial detainee on charges alleged by the defendants for the need of force. Nor was any due process given on the search and seizure of the plaintiff's legal mail that morning by officer Z. Jolley, which was the start of events that lead to all else on the day of, and was also used against the plaintiff, amongst much more alike, by the defendants as incentive for the use and need of force. None of which was means for the defendant to activate the CERT team without first regarding medical care, mental health, a remedy without risk to health or safety, or taking action such as attempts to talk to the plaintiff after he was given the time to reason during his distress or after. At around 1900 hours Sullivan became the floor officer for Quebec Housing Unit.

7. From around 1100 hours to 1912, Abreu remained locked inside cell 21 in the Quebec Housing Unit. And there was never a time the plaintiff was addressed

or made aware of through conversation or concern by the officers and the defendants. Not once did the officials or the defendants attempt to defuse the situation by taking action to provide a separate solution that did not require the use of force and activating the CERT team. The simple way to put it is the conversation around 1100 hours happened when the plaintiff was commanded to allow officers to place cuffs on him for a move from Quebec to Fox while Abreu was locked inside his cell. When Abreu was denied the request that he made to pack his own property before submitting to the demands of correctional officer SC Lewis and after expressing his concern for allowing officers to pack his property that was spread throughout the cell he was housed in for months due to the amount of property belonging to the plaintiff and his prior experience with officers handling his property during a move by throwing everything together in one bag (food, beverages, papers, utensils, legal documents, pictures, hygiene, clothing and shoes), without order or care, resulting in the property being damaged. Specific was the plaintiff's concern for the pictures of his son. The plaintiff being denied his request to officer SC Lewis, then caused and influenced Abreu to refuse the command of that same officer. Abreu refused the command as he replied to the denial of his request and stated that he was not going to cuff up until he packed his property. It was then mentioned by officer SC Lewis that there was no time to waste allowing the plaintiff to pack his property and the officers then turned to leave the Quebec Housing Unit. The time after the above encounter with officers did not involve another moment where the plaintiff had any contact or attempted contact with officers until around the time of 1912 when CERT team members entered Cell 21 in Quebec to remove Abreu from the cell with the use of force. I find it important to note that from the hours of 1100 to 1912

officers entered the Housing Unit multiple times. Most memorable to the plaintiff are the times officers entered the Housing Unit during lunch around 1200 hours, Dinner around 1630 hours, Head Count around 1800 hours, to turn off the water for the toilet to Cell 21 around 1330 hours, and Rounds every hour. During those times no contact or attempted contact was made by officers and defendants in regards to the plaintiff. The plaintiff was avoided and the remedial action was never taken, to the point of the importance of food not being offered to the plaintiff during meal times as the officers didn't even bother asking Abreu if he wanted to eat and ignored his requests for food when passing lunch and dinner trays to the other inmates in the Housing Unit. And even more so, the officers and the defendants refused to acknowledge the health or the safety of the plaintiff when entering the Housing Unit, the significance of routine rounds being noted here, without the having the ability to see Abreu physically with the cell window being covered and without efforts verbally made to communicate with Abreu otherwise as a means of a wellness check during the entire duration of time that the plaintiff was locked in the cell from 1100 hours to 1912. The absolute only other contact made by officers and defendants was at 1912 when excessive force was then applied. The plaintiff did not entirely refuse the order he was given by the defendant at 1100 hours. It was clearly stated by Abreu to the officers that his intentions of refusing the order at that time was to pack his property and then comply to the order afterwards. As the officers walked away, Abreu was never given the chance to comply once his property was secured and protected at best. There was never a threat made by the plaintiff as he was defending his property from being destroyed or damaged. The plaintiff was not being violent nor did he provoke the harm that was later inflicted against him by defendants.

The plaintiff desired a solution that did not require serious risk or result in physical force. The action that supports this is the only act made in this incident that was an effort to communicate and eliminate risk by putting on the cuffs and moving to Fox after such order was made. And the plaintiff was the one to do so by pressing the speaker button in the cell that is used to contact the J.O.S. Abreu did so after packing up his property inside the cell following shortly from the time he talked with the defendant SC Lewis. At around 1200 hours the plaintiff made contact with the J.O.S. and told her that he had his stuff ready to go and was willing to follow orders, if she could send the officers in so they could hurry up and get it over with. The J.O.S. replied saying that she was busy eating lunch, not to bother her and if I wanted to follow orders then I should of done so earlier on my time not hers. That was the only other contact made that didn't involve officers. Then the J.O.S. ignored any further communication through the speaker system by refusing to answer when the plaintiff pressed the call button. The plaintiff had never experienced being in jail longer than a day or two except for his experience from the two years spent as a pretrial detainee in Davis County Jail at the time of events. Based on that experience Abreu did not even know a CERT team existed. And when an inmate would refuse an order or act erratic while showing signs of aggressive behavior officers would give such inmate time to reason, especially when already confined to a cell, then make contact with the inmate numerous times while making conversation to resolve the issue until serious risk wasn't an issue and the inmate showed intentions to follow orders. Abreu figured the time would come when

a officer or official would make contact with him and then the move would happen. Abreu had his property stored on the top bunk in order with respects to the officer who would search the property when Abreu was moved and the plaintiff was ready and willing to move. As the time passed without contact being made by officers or officials and while being ignored without knowing what to expect or what was going on the plaintiff experienced distress that started with the anxiety from wanting to get the move over with and instead being left in the cell the officers wanted to move him from when he was willing to leave and the not knowing what was going on made it worse. Any behavior by the plaintiff while experiencing distress from the situation was later reasoned well before CERT entered the Housing Unit. The plaintiff fell asleep and woke up still waiting for the officers to make the move or make contact. By this time the plaintiff was no longer argumentative and was not a threat. The jail had been on lockdown the entire time since being told to do so for lunch around 1100 hours. The plaintiff was still expecting the move to happen without force as he was more than willing. Meanwhile the defendants had a briefing and had been planning force to be used against Abreu. The time defendants had to determine a course of action that was determined with violence added to the time spent before acting with the force in mind is what made the reality of violence predictable without making another outcome possible.

At around 1912 while the plaintiff was listening to his radio the end of what Sergeant Hutchinson was saying was heard being, "how do you comply?" Before the plaintiff could even process what was said or understand what was going on after

approximately eight hours of solitude the door to Quebec 21 was opened. The plaintiff did not notice CERT members entering the Housing Unit, nor had the plaintiff ever seen what a CERT member resembled with their gear on. The time the plaintiff was allowed to respond to Sergeant Hutchinson was not enough to even react when the cell door opened revealing what Abreu immediately thought was SWAT. The seriousness of what was going on became apparent to the plaintiff as the defendants, Sgt Hutchinson, Cpl. T. Nix, Officer Bunnell, Officer Terrell, Officer St. Lewis, and Officer Major, entered the cell. The door to the cell opened before CERT members were even given the chance to ready themselves for what Hutchinson was saying. When the cell door opened and before any defendants made entry the CERT member who was positioned first looked caught off guard and was pushed by the CERT members behind him as there was a moment of stillness until that push happened. The plaintiff was positioned at the back of the cell and was standing with a radio in hand while eating Fireball candy when the CERT team started to enter. The plaintiff backed up to the bunk as the CERT team approached out of concern for his safety and health. Multiple direct orders were made simultaneously by defendants that consisted of, "put your hands in the air", "get down on your stomach", "show me your hands", "get down on the ground with your chest". Defendants made it impossible to follow one officer's request without having to refuse another. The plaintiff sat on the bunk at the back of the cell as a response to all the orders being shouted by CERT team members. The CERT members wore full protective gear which made them difficult to distinguish. Having armored aggressive grown men, in all black with helmets on

that included face shields, approach the plaintiff with evident force to be used against him caused Abreu to fear for his life and submit to the inevitable unnecessary risk of serious harm that was disregarded by defendants and forced upon the plaintiff by the attack made and conspired through the actions of the same defendants with such disregard Abreu assumed a guarded position and allowed the defendants to subdue his person with the excessive force they planned to use. When contact was made and the CERT team engaged, the plaintiff went from a sitting position on the lower bunk to leaning into the frame of the bottom bunk as he dropped to the floor with a hurried motion due to a severe pain inflicted to his stomach by the force used by the defendants once contact was made. The force continued to be used against the plaintiff forced Abreu to turn facing the wall as he was being handled by CERT team members and during his fall to the floor. Once Abreu touched the ground with his knees the defendants pinned his head to the metal frame of the lower bunk with the use of their knee being pressed into the back of his head. Meanwhile the plaintiff's arms, legs, and body was being dismantled as officers picked, pulled, pushed, shoved, tossed, twisted, restricted, and abused whatever piece of Abreu they could get their hands on. At one point during the attack two officers tugged the plaintiff's left arm in separate directions as both of the defendants went to war over the control of that limb. While being dominated by CERT members the pain coming from the plaintiff's stomach became more intense as the defendants caused bodily injury that felt like a ripping of flesh to the plaintiff who was defenseless and posed no threat when defendants were cutting him on the floor and when he was put there from the stab wound

to his abdomen that was acquired when initial contact was made and the defendants attacked the plaintiff with what felt like a blunt object going through his side with extreme velocity and force that made a sound best described as a balloon popping. Once the pain and suffering from the injuries reached the peak of burning, stinging, and bleeding the plaintiff bursted with the need to move which could be considered the only resistance made that was even then out of the control of the plaintiff who is better addressed as victim. The exact offender can only be assumed as there was six defendants on the CERT team and the plaintiff was experiencing excessive forces used against him from each defendant at the times bodily injuries were inflicted upon the plaintiff maliciously and sadistically by the CERT team with deliberate indifference. Those who failed to oversee or address the violations are being held accountable as well. As the plaintiff was dominated by CERT members before his burst of movement and while restraints were being applied the communication between the CERT members became relevant as scissors used and carried by every correctional officer, including CERT, were mentioned and the officer who had them out was told to put them away that the plaintiff's cloths, which were soaked and covered with lubricates, could wait and be removed later. After the plaintiff's burst of movement restraints were applied as CERT members had Abreu on his stomach. Handcuffs and leg shackles were used to secure Abreu's hands behind his back and legs together. As restraints were being applied Abreu began screaming from the pain and suffering that was being caused by the continued force that was excessive as defendants restrained Abreu and the bodily injuries

that needed emergency medical attention but instead were disregarded as defendants slammed Abreu into the ground on his stomach and weight paired with the force used by multiple CERT members was effectively causing more pain and suffering. The plaintiff was then screaming and yelling that his stomach was injured and that the defendants stabbed him. The defendants applying the handcuffs were having problems locking the cuffs because the cuffs were not functioning properly. It was decided by CERT members to not lock the cuffs and to continue with their extraction. When the plaintiff's stomach was finally inspected, the amount of blood from the area of concern and around the cell was enough means to request an ambulance.

9. At around 1916 hours, EMS was activated by Nurse Ashley as requested by Officer Major and Sergeant Hutchinson. Abreu kept screaming in pain about his stomach. Abreu was handled with very little concern or regard for his injuries as officers carried Abreu from Queber 21 to the gurney that was in the middle of the Housing Unit. Abreu was forced by the handcuffs behind his back and by the shackles around his ankles with his stomach facing the floor and without any support for the weight of his body used. Because of being carried this way and the handcuffs not being locked, the 260 pounds from the plaintiff, without support, began to tighten the cuffs as the CERT members carried the plaintiff by those same cuffs leaving his body dangling with blood gushing from his stab wound. It is noted that defendant T. NIX and Deputy Major applied the handcuffs as Christopher Pinnerel and Terrell applied the leg shackles and Sgt Lewis supplied the cuffs and shackles as Hutchinson observed. It is suggested that Abreu was carried specifically with respect to where the restraints were placed.

and by which defendant being the same defendants who assumed those same positions when carrying the inmate.

10. It's important to note that officers don't mention them noticing a wound or injury until after the restraints were applied and only one CERT member claims to see blood before contact was made and one other officer says they only thought they seen blood but did not give a force statement. Yet after the restraints were applied each CERT member mentions the amount of blood seen being a large amount.

11. At around 1916 when CERT members covered Abreu out of the cell carelessly, Nurse Ashby led out a high pitched scream or yell when seeing the injured plaintiff. The plaintiff was carried down the stairs where he was almost dropped multiple times. Officers then placed Abreu on the gurney that was in the middle of the housing unit, instead of at the stairs, and put the plaintiff on his stomach.

12. At around 1918 CERT members and medical left the unit with Abreu on the gurney. The plaintiff was wheeled towards the vehicle solely to the distance. During this time the plaintiff continued to scream from the pain and started to voice discomfort from the restraints. The cuffs became so painful from how tight they were the plaintiff started showing some concern for the pain and suffering from the cuffs more than anything else.

13. Eventually the plaintiff started having troubles breathing and stopped grunting or screaming. Officers and nurses had to stop many times to check the plaintiff's breathing. Before this the plaintiff was asked by defendants how he was injured and he made it clear that the officers stabbed him.

14. Once defendants got Abreu to the vehicle solely he had

stopped responding completely as officers cut all of his clothing off before placing the plaintiff on Farmington Fires gurney on his back with the unprocessed cuffs becoming even tighter as Abreu was forced to lay on them.

15. Once the plaintiff was in the ambulance headed towards DAVIS Hospital for his wounds it was found that Abreu had been choking on a Fireball candy which added to his trouble breathing. When Abreu became responsive he requested many times for the John Dor officer riding in the back of the ambulance to adjust and lock the cuffs as he expressed concern for losing feeling due to loss of circulation and how he needs his hands for work being a professional chef and barber. The officer refused to adjust so the inmate begged him but still the officer refused at or around 1938 hours.

16. Once at the hospital Abreu requested many times for Terrell and Rummel to adjust cuffs but they refused even as Abreu expressed the same concern as before.

17. It was determined that Abreu suffered from a stab wound and multiple lacerations to the abdomen. Staples were applied and instructions were given to the defendants on a document for the treatment regarding the injuries, such as SteriStraps were to be applied after staples were removed in 10 days which never were resulting in a larger scar.

18. While at the hospital defendant Terrell made a joke with the doctor that Abreu obviously made zero good life decisions based on him being in jail. Abreu confronted both Terrell and the doctor saying that he has actually been in cooking magazines for being a chef and also owned a restaurant before so he didn't appreciate either of them laughing

at him when they should be helping him instead. Terrell then accused the plaintiff of trying to sneak drugs into the facility while regarding the morning incident without giving proper due process. The plaintiff replied saying if that is what happened then he can't control what is marked.

19. Doctors examined Abreu via X-ray for internal breathing, MRI for the stab wound and other methods. It was assumed there being a laceration to the anterior abdominal wall which was closed with staples. And rectal foreign body which turned out to be phone numbers and a ring. It was also noted by hospital staff that the plaintiff remained in handcuffs.

20. At around 2130 hours Abreu arrived back at the jail where Nurse Ashley examined him.

21. After being examined by Nurse Ashley the plaintiff was interviewed by officer Sgt. E. Johnson from the Farmington Police Department. Once it was mentioned by the detective that the plaintiff was NOT facing any criminal charges for the incident that occurred, Abreu stated he would only speak with a lawyer present. That concluded the interview and no other interview was conducted by any officers on the plaintiff's behalf despite mentioning many times after that officers stabbed him. On 10/1/20 investigator BAER for DAVIS County Jail mentioned to Abreu he would have to interview him in regards to being stabbed and Abreu agreed but BAER never did the interview.

At about 1930 hours on 9/20/20

22. Sgt. E. Johnson was initially told that the inmate, Abreu, had lacerated himself with a razor. During the search of the cell Sgt. E. Johnson was unable to find a razor. The only item he was able to find was two pencils that were on the outside of the cell door amongst the tuna and other debris. The same detective was able to observe the plaintiff's abdomen area, at around 2130 hours, and see that he had several scratch marks around the laceration.

being the Stab wound. Sgt. E. Johnson reported that the scratches did not appear to be from a razor blade and concluded that it is unclear what the Subject used to cause his injuries.

23. I would like to note that at around 1630 hours there was a briefing held in the Briefing Room by Sgt. Hutchinson with all the requested CERT Team members attending. During this meeting Sgt. Hutchinson reported that the Plaintiff^{AA} had been charged with having a razor in his cell while in Davis County Jail. This report is false and a clear violation of the Plaintiff's due process as due process was given for the alleged charged yet it was still reported as an incentive to act with force when the cell extraction was planned. About a year prior to this incident the Plaintiff^{AA} was charged by the defendant Terrell for being in another inmates cell while a haircut was given. Terrell admitted to knowing Abreu was not involved and the razor not being his as the cell wasn't his where it was found. But because Abreu would not point out who was cutting hair, he was charged in-house for the incident and razor. Terrell also admitted to seeing Abreu get out the shower minutes prior to him coming to investigate which made it impossible for Abreu to be guilty. Still on 9/26/20 the report was given to officers in a way to give reason to attack using excessive force and abuse along with other reports given. Also the report given was harassment as it caused the act that caused the Plaintiff to feel fear, and the act caused bodily injuries that caused the Plaintiff emotional distress. Even after being screamed by the Plaintiff while suffering from pain that officers stabbed him, multiple times and the Plaintiff saying so in other times, the same defendant, Sgt. Hutchinson, reported to Sgt. E. Johnson that the Plaintiff lacerated himself with a razor without due process or any evidence. It was mentioned by CERT members that there was no razor in the cell before Sgt. E. Johnson

arrived at the jail for around 1930 hours. Sgt. Hutchinson had no reason to report the razor at the briefing how she did giving the CERT Team the reason to use excessive force and attack the plaintiff. And the defendants had no reason to report the razor to Sgt. Hutchinson how it was which led to the final conclusion of his report, once again without evidence of a razor or any weapon to cause the injuries on the plaintiff by the plaintiff as it was said to be self-inflicted injuries. And if Sgt. Hutchinson believed Abreu to have a razor in his cell so much so, then it was the serious risk to harm himself not considered or acted on during the times 1100 hours to 1912 hours when Abreu was completely ignored by officials and officers for the duration of that time and not once was the plaintiff's health or safety checked on by defendants, Cpl. Midnum, Sgt. Baer, Deputy List, Z. Jolly, Sgt. Hutchinson, Cpl. Clark, SC Lewis, Deputy Major, Cpl. Erik Rummert, Terrell, and E. Sullivan. They were all made aware of the risk but did nothing during the times they performed safety and security rounds every hour at the times they entered the section before the CERT Team entered the cell. The point is at 1624 Cpl. Midnum knew there was a serious risk to health or safety in regards to Abreu's and so did Sgt. KBAER as she was notified around 1800 hours, if not before when she reported for her shift. So did Deputy List around 1800 hours when he conducted head count followed by hourly rounds. So did Z. Jolly throughout the day and at 1500 hours when he conducted a safety and security round. So did Sgt. Hutchinson many times throughout the day including when she and Cpl. Clark entered the living unit to turn off the water to Quiber 21, making Cpl. Clark aware as well. And so did E. Sullivan when he was assigned floor officer over 806 at 1910 hours. And so did the CERT Team around 1630 hours when they were having a meeting of such and each defendant failed to act, consider mental health emergency for, remedy the risk and instead disregarded serious risk on both sides, being their truth and the plaintiff's. It is important to understand that no weapon

or object that could have caused the bodily injuries was found in the cell where the plaintiff was housed, in the property of the plaintiff as it was seized and searched by T. Sullivan and other officers, or inside the plaintiff's body as a MRI was done and a search and seizure by Sgt. K BAER and Cpl. T. Nix was completed on the items inside the plaintiff which was phone numbers and a silver ring. Also the toilet in Cell 21 did not flush as the water was off from around 1200 hours to past the time the plaintiff was extracted. And on 10/1/20 around 1900 hours Sgt. K BAER came into the Fox Housing Unit and told the plaintiff that he would not get his property back unless he said another inmate caused the bodily injuries or the plaintiff took blame as there was a lot of "rocky water" according to her regarding the incident. Sgt. K BAER was told then that a CERT Member caused the injuries against the plaintiff and another time in front of Cpl. T. Nix when giving a portion of the property back as camera in Medical after the inmate wrote a grievance to the mentioned above incident. That is also when Sgt. K BAER refused to give the plaintiff his prescription glasses unless he told her he caused the injuries or another inmate did, not complying lead to the plaintiff's glasses not being given back along with other items.

24. At around 2145 hours the plaintiff escorted to the Suicide/Safety/Dof Cell/ Booking and once in the cell Abreu was given a Safety gown. Then all restraints were fully removed. It was here and at this time Abreu provided officers with the phone numbers and ring. After he did so he talked to Sgt. K BAER and Cpl. T. Nix and expressed how he didn't agree with how he was being treated as he wasn't suicidal and he didn't harm himself. Further was noted that the plaintiff was considered mentally disordered before force was used and wasn't seen by mental health until 9/28/20.

25. It was declared that Abreu was suicidal and injured himself by the same defendants who caused the bodily injuries so nothing else was considered or investigated fairly as the defendants influenced other officers and officials.

involved for obvious reason being to conceal such injuries and actions caused or inflicted against the plaintiff in his claims.

26. The ~~San Jose~~ officers and CERT Team members being used as a weapon, intentionally or not, was brought up many times by the plaintiff to officers and never was that taken into consideration or investigated. Sgt. K BAEK was told this and her husband is the investigator for the jail, yet it was never looked into. Instead the defendants actions were covered up using the same razor that never existed in the briefing as a means to focus only on the inmate harming himself.

27. Medical professionals, who out of concern for their jobs the plaintiff would rather not mention at this point, admitted to the officers working at the jail, and most the defendants specifically, being corrupt and capable of doing something such as causing the bodily injuries that Abreu had, and still has, so that behind the defendants did stab the plaintiff.

28. On 9/27/20 at around 2am hours the plaintiff stated that his thumbs on both hands were numb from the cuffs being on too tight last night. This was told to the nurse during dressing.

29. On 10/02/20 at around 9300 hours the plaintiff was seen by a physician at the jail who documented Abreu having paresthesias due to handcuffs being applied. And informed the plaintiff the importance of taking his prescribed anti-inflammatory medicine for swelling due to damage of the nerves done to his hands from the cuffs.

30. Eventually medical treatment for the plaintiff's hands was denied causing permanent bodily injury and numbness in both hands.

31. On 10/1/20 to 10/4/20 the dressing on the plaintiff's stab wound was not changed or cleaned for the second time for days at a time. The first being when the plaintiff was in the Medical Holding Unit. Both times the defendant had asked for help many times and was denied. Dates for the first time going days without

a dressing change or cleaning was from around 0500 hours on 9/29/20 to the morning of 10/1/20. It was explained by the doctor and ordered to change bandage daily for the first ten days. At one point pus was coming from Abrax's abdomen wound and was really bright red showing signs of infection.

32. At or around 1530 hours on 10/4/20 medical finally cleaned and redressed the wound.

33. On or around 10/5/20 the staples were removed by two nurses and steri-strips were never applied like the Doctor ordered.

34. Eventually the plaintiff was left with a large scar where he was stabbed along with scars on his stomach from the many abrasions that he suffered. And Abrax has been mental health for dreams considered night terrors and PTSD caused and related to the 9/26/20 incident and events.

Also the plaintiff can't hold a book or write for long without a pain or numb feeling rising from his hands to his elbow, which has also caused writing this complaint to take much needed time for tests and is part of the reason this amended complaint is being finished on the last day of the third going to complete. The plaintiff related to mental health professional to have dreams such as the one he had with officers attacking him and waking up with a bloody foot from kicking the concrete wall in his sleep while having the dream that was a night terror. Abrax was first given psychological care on 9/28/20 following the incident on 9/26/20 and it was mentioned by the psychologist that she was not made aware of the plaintiff until that day and does not know why she hadn't met Abrax sooner, especially considering him being incarcerated for two years by that time and the nature of his charges. The plaintiff sought treatment on his own after that but overall was determined the needed medications couldn't be prescribed due to the policy of the jail. Abrax stopped seeking treatment except when fast medication is needed for the PTSD and night terrors or other mental anguish caused.

CLAIM ONE

I. PLAINTIFF(S)

Plaintiff Angel Christopher Abscu, is and at all times mentioned herein a pretrial detainee of the Davis County Correctional Facility. Abscu is currently in confinement at Davis County Correctional Facility, in Davis County.

II. DEFENDANT(S)

Please refer to the page attached to this complaint titled "THE PARTIES TO THIS COMPLAINT" for exact details on the following defendant(s).

Defendants are Cole Melton, Amy Hutchinson, Col. T. Nix, Sgt. Lewis, Det. Major, K. BAEZ, Wilbert Terrell, Zummel, John Doe, Z. Jolley, Col. Clark, Det. List, and E. Sullivan.

Each defendant is sued individually and in their official capacity. At all times mentioned in this complaint each defendant acted under the color of law.

III. VIOLATIONS

1. U.S. Const. art. AMENDMENTS § Amendment VIII Further guarantees in Criminal cases:
"...nor cruel and unusual punishments inflicted."
2. U.S. Const. art. AMENDMENTS § Amendment XIV Rights guaranteed
"...nor be deprived of life, liberty, or property, without due process of law."
3. U.S. Const. art. AMENDMENTS § Amendment XIII Slavery and involuntary servitude
"...nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted shall exist within the United States."

IV. FACTS

Please refer to paragraphs 1-34 of "ALLEGATION(S)". Also refer to Exhibit B, C, D, E, and F.

COUNT ONE: (PAGE 2)

was made without such due process as the reason for the move began from an incident where in-house discipline/ due process was not conducted as of yet, nor was the information given to the plaintiff why he was in trouble. Involuntary servitude was inflicted as the defendants had absolute power over the plaintiff and used that power to cause harm. Other causes of action supporting this count the plaintiff realleges and incorporates by reference of paragraphs 1-34 of "ALLEGATIONS". All defendants knew that a serious risk existed and violated the plaintiff's rights as a person. It is also noted that the actions of the defendants discriminated against the plaintiff and treated him different in the mentioned allegations apposed to other inmates in the similar situation and in doing so the defendants violated the equal protection clause.

ADD GANG?

V. VIOLATION(S) SUPPORTING CLAIM

A. COUNT ONE: FAILURE TO PROVIDE PROTECTION FROM ABUSE, HARASSMENT, AND ATTACK FROM OFFICERS

It does not matter whether the risk comes from a single source or multiple sources, and more than it matters whether the plaintiff faced an excessive risk of attack that are personal to him which the plaintiff did as mentioned throughout the events of 9/26/20. Such as when the defendant Hutchinson reported to CERT Team members that Abreu was known for having razors as a weapon while in Davis County Jail, when that was not true. Or when reports of Abreu being violent were made with criminal charges he's yet been convicted of and assaults he has not committed were used to engender the excessive force, that was used, into CERT members minds with risk of serious harm was disregarded as CERT was activated and the cell extraction was done without remedial actions taken first. The entire incentive for using force against Abreu was based on the misrepresentation of the plaintiff presented by Sgt. Hutchinson that was personal to him and making the plaintiff seem violent. If officials must protect inmates from the abuse, harassment, and attack from other inmates, then the officials shall be held to the same standards protecting inmates from officers. Instead Sgt. Hutchinson held a briefing with CERT Team members that was forced, misled, and was a misrepresentation of the plaintiff's reputation and person by Sgt. Hutchinson and those involved being Cpt. Maldrom who activated the CERT Team, and the CERT Team members themselves, that ultimately provoked the excessive force and attack against Abreu that resulted in bodily injuries. All those mentioned failed to provide protection from officers to the plaintiff while knowing the plan of attack was cruel, or objectively unusual, and failed to remedy it or take action otherwise. The process was not given as CERT was activated and the making the decision to use force

B. COUNT TWO: EXCESSIVE FORCE

When defendants made contact with the plaintiff during a cell extraction, bodily injury was caused from the force the defendants used while the plaintiff posed no threat, the force was not necessary and the cell extraction performed by CERT members could have been prevented by contact being made that did not involve violence or when the plaintiff asked the JCS to tell officers he was willing to move cells. Every defendant knew of serious risk to health or safety and disregarded it by their actions and failing to act or provide a remedy. Because of the actions of officers that relates to this claim the plaintiff was deprived of life, liberty, or property, without due process as the extraction itself was done so regarding an incident the morning of that resulted in a unreasonable search and seizure of the plaintiff's legal mail without giving cause or explanation and was the reason the plaintiff was ordered to move in the first place with multiple officers and defendants refusing to tell the plaintiff why he was being moved or what was going on. Not once was the plaintiff offered due process or even given the simple act of a conversation by any of the officers explaining anything. The plaintiff is and was a pretrial detainee yet to be convicted and from the acts of officers in this claim, involuntary servitude was inflicted upon the plaintiff by power of the defendants, the plaintiff's life, liberty, and fortune was affected and resulted in bodily injuries while in custody and innocent of accused crimes. Mental and emotional injury occurred after physical injuries were inflicted. The plaintiff now suffers from PTSD related to the claims as well as a just because involving officers abusing and attacking the plaintiff, which was confirmed by the mental health professional at Davis County Jail. Other causes of action supporting

COUNT TWO (PAGE 2)

This Count the Plaintiff realleges and incorporates by reference paragraphs 1-34 of "ALLEGATIONS". The CERT Team members and Cpt. Meldrum are responsible for this count. All defendants knew that a serious risk existed. And violated the Plaintiff's rights as a person.

C. COUNT THREE: DENIAL OF Medical, Dental or Psychological CARE

Based on events from 9/26/20, the defendants each knew that serious risk existed and failed to remedy it or take action. It was reported that the plaintiff was in possession of a razor by officers, true or not, for the duration of being barricaded inside his cell with the window covered preventing anyone from seeing inside. The razor was reported before, during and after cell extraction. So much so the defendants told detectives Abreu harmed himself with the razor that was, and has been never proven to exist. Physical proof not needed for this count as it was believed by defendants so the risk was real. The plaintiff's mental and emotional well-being was reported by the condition of the inside and outside of the cell, his behavior, and the bias decision from defendants to disregard merit and claim the plaintiff harmed himself, eventually placing Abreu on 15 minute suicide watch after the cell extraction. According to events and the facts, the defendants not only knew of serious risk but knew of serious risk to self, being caused by the plaintiff himself. Officials knew that something was cruel, or objectively unusual, and failed to remedy it or take action. Instead the only action taken was excessive force 8 hours later and meanwhile during safety and security rounds, Head Count, Lunch, Dinner, and any other time a defendant entered the Housing Unit they ignored the fact that they could not see inside the cell and not once did the defendants check on the plaintiff from 1100 hours to 1912 hours¹ as they reported Abreu as a mentally disordered person, disregarding the risk they reported knowing and assumed themselves. Not once was emergency psychological care provided nor did the CERT team respond in a timely manner considering the risk the defendants thought of and accused the plaintiff of committing. And because an inmate cannot obtain his own medical care and is dependant upon officials, if the authorities fail to do so, those needs will not be met. Considering such with the events

COUNT THREE: (page 2)

Surrounding the incident and the defendants actions or failure to act, involuntary servitude is evident with the violation of due process. Other causes of actions supporting this count the plaintiff recites and incorporates by reference paragraphs 1-34 of ~~ALLEGATIONS~~ ^{ALLEGATIONS}. Such actions violated the plaintiff's rights as a person.

D.

COUNT FOUR: OFFICER ABUSE OF FORCE

Defendants failed to lock the handcuffs used to restrain the plaintiff. The same defendants failed to support the plaintiff when carried to the gurney causing the cuffs to tighten around the plaintiff's wrists cutting off circulation to his hands. Also by carrying the plaintiff without using a board or at least a blanket to support the plaintiff's weight and picking the plaintiff up by the handcuffs and leg shackles, the defendants caused bodily injury to Abreu's hands and his shoulder which was previously dislocated from a separate incident inside the jail that officers should of been aware of if history of the plaintiff was properly viewed before the cell extraction. Defendants were also made aware as the plaintiff screamed from pain and suffering as he was on the gurney. The plaintiff pleading with the defendants to adjust the cuffs and instead was put into a prone position with the cuffs behind his back as his entire body weight laid on top of the cuffs for hours as the cuffs tightened as much as possible for the entire duration. The plaintiff even begged defendants to adjust the handcuffs and to lock them making it a point to express his concern for his future as a chef and barber, both requiring extensive use of the hands. The defendants disregarded any risk, and failed to remedy it or take action, even with knowing something was cruel, or objectively unusual. The medic in the ambulance even requested John Doe to adjust the cuffs and he refused. The same refusal was given at the hospital by Zummel and Terrel. Defendants also reported to being aware of abdomen injury during the cell extraction but still used excessive force while conducting the extraction and applying the restraints while forcing Abreu stomach first on the ground that was reported to be flooded and full of debris. Not to mention the abuse stated otherwise. All of which was done by the absolute power of the defendants providing involuntary servitude to the plaintiff and violated his rights as a person. Other causes of actions supporting this count the plaintiff realleges and incorporates by reference paragraphs 1-34 of "ALLEGATIONS"

VI. EXHAUSTION OF ADMINISTRATIVE REMEDIES

The plaintiff has exhausted his administrative remedies with respect to all claims and all defendants. Copies of such will be attached to this complaint or exist but the plaintiff lacks physical grievances because jail records refuses to supply the copies. It is best the Court knows evidence for all claims exist and the plaintiff is either waiting for CBRAMA request(s) to be answered or the request(s) for records have been refused and can be viewed by the court after the complaint is filed through further pleadings and request for documents. It is important to note that DAVIS County Jail does not have a level grievance procedure that allows the inmate to appeal a grievance or write anyone above a watch Commander without those grieved having control of such. Also refer to EXHAUSTION OF ADMINISTRATIVE REMEDIES FOR ALL CLAIMS!!

VII. CLAIMS FOR RELIEF

B. COUNT TWO

The actions of the defendants, Cole Meldrum, Amy Hutchinson, Deputy Major, SC Lewis, Christopher Bummel, T. Nix, and Wilbert Terrell, is excessive force inflicting bodily injuries to the plaintiff during a cell extraction, and failing to act or provide remedial actions to risk towards health or safety meanwhile disregarding serious risk while causing pain and suffering physically followed by mentally and emotionally, were done sadistically and maliciously and constituted cruel and unusual punishment in violation of the Eighth Amendment of the U.S. Constitution along with Fourteenth and Thirteenth Amendment violations. The plaintiff realleges and incorporates by reference paragraphs 1-24 of "ALLEGATIONS" and COUNT TWO FROM "VIOLATIONS SUBROGATED CLAIMS."

A. COUNT ONE

The actions of the defendants, Cole Meldrum, Amy Hutchinson, Deputy Major, SC Lewis, Bummel, T. Nix, and Wilbert Terrell, is failing to provide protection from the abuse, harassment and attack from officers against the plaintiff by Abreu facing an excessive risk of attack for reasons that were personal to him before, during and after a cell extraction, and failing to act or provide remedial actions towards health or safety, meanwhile disregarding

VII. CLAIMS FOR RELIEF (CONTINUED PAGE 2)

serious risk that lead to an attack against the plaintiff and excessive force used by officers, were done sadistically and maliciously and constituted cruel and unusual punishment in violation of the Eighth Amendment of the U.S. Constitution along with Fourteenth and Thirteenth Amendment violations. The plaintiff realleges and incorporates by reference paragraphs 1-24 of "ALLEGATION(S)" and COUNT ONE from "U. VIOLATION(S) SUPPORTING CLAIM!"

C. COUNT THREE

The actions of the defendants, Colr Meldrum, Hutchinson, T. Nix, Sr. Lewis, Deputy Major, Rummel, Terrell, Z. Jolley, Cpl. Clark, Deputy List, E Sullivan and BAER, is delaying and denying the plaintiff psychological attention, and failing to offer emergency psychological treatment, were done sadistically and maliciously and constituted cruel and unusual punishment in violation of the Eighth Amendment of the U.S. Constitution along with Fourteenth and Thirteenth Amendment violations. The plaintiff realleges and incorporates by reference paragraphs 1-24 of "ALLEGATION(S)" and COUNT THREE from "U. VIOLATION(S) SUPPORTING CLAIM!"

D. COUNT FOUR

The actions of the defendants, Colr Meldrum, Hutchinson, T. Nix, Sr. Lewis, Deputy Major, Rummel, Terrell, and John Doe, is officer abuse of force, and failing to act or provide remedial actions to the risk and injuries that occurred while disregarding pain and suffering, were done sadistically and maliciously and constituted cruel and unusual punishment in violation of the Eighth Amendment of the U.S. Constitution along with Fourteenth and Thirteenth Amendment violations. The plaintiff realleges and incorporates by reference paragraphs 1-24 of "ALLEGATION(S)" and COUNT FOUR from "U. VIOLATION(S) SUPPORTING CLAIM!"

VIII. RELIEF REQUESTED

WHEREFORE, plaintiff request that the court grant the following relief:

A. Issue a declaratory judgment stating that:

1. The actions of the defendants Meldrum, Hutchinson, Nix, Lewis, Major, Baer, Terrell, Rummel, Doe, Jolley, Clark, List and Sullivan, violated the plaintiff's rights under the Eighth Amendment of the United States Constitution, with respect to the defendants and each count listed.
2. The actions of the defendants Meldrum, Hutchinson, Nix, Lewis, Major, Baer, Terrell, Rummel, Doe, Jolley, Clark, List, and Sullivan, violated the

VIII. RELIEF REQUESTED (CONTINUED PAGE 2)

Plaintiff's rights under the Fourteenth and Thirteenth Amendments of the United States Constitution, declared separate from the Eighth Amendment declaratory judgment with respect to the defendants and each court listed.

B. Issue an injunction ordering the defendants and DAVIS COUNTY CORRECTIONAL FACILITY TO:

1. STOP activating or performing CERT Team cell extractions without first providing emergency psychological treatment by involving a psychologist to personally evaluate the inmate through some means of contact and by using conversations, a written message or even family members to communicate with the inmate and correct behavior or get them to comply with officers or orders. Officers and officials are to include the psychologist in any gathering that is to inform others of the inmate or to decide on any plan that uses force against the inmate. The psychologist is to have word at these gatherings as a consideration to provide remedial action with regards to the inmate's health and safety to avoid serious risk through preventing the need of force from officers and exhausting all mediation efforts before activating CERT Team to respond.
2. Undergo and require the officials and officers involved in the September 26, 2020 incident or events from that day, to participate and complete sensitivity training and mental health awareness, to prevent harm and disregard to serious risk from happening further and to provide remedial action.
3. Undergo and require the CERT Team members involved in the September 26, 2020 incident to participate and complete preventative officers abuse of force training, to provide remedial action and prevent further bodily injury, excessive force and abuse from happening.

(PLEASE DISREGARD SECTION C)

C. Issue a temporary restraining order restricting defendants from:

1. Participating in or performing any CERT Team emergency responses or cell extractions until policy and procedure is created and or redressed in regards to "VIII. RELIEF REQUESTED" B(1) injunction and B(2) is at the very least drafted, to provide remedial action and prevent harm from happening further.
2. Participating in or performing any CERT Team emergency responses or cell extractions until training is complete in regards to "VIII. RELIEF REQUESTED" B(3) injunction to provide remedial action and prevent harm from further happening.

VIII. RELIEF REQUESTED (PAGE 3)

D. Award compensatory damages in the following amounts:

1. 5,000 jointly and severally against defendants Meldrum, Hutchinson, Nix, Lewis, Major, Rummel, Terrell, Jolley, Clark, List, Sullivan and Baer, for the denial and delay of emergency psychological care and the complete disregard for the safety or security of the plaintiff that resulted in bodily injuries and mental anguish with respect to COUNT THREE of CLAIM and causing pain and suffering.
2. 5,000 jointly and severally against Meldrum, Hutchinson, Major, Lewis, Rummel, Nix and Terrell, with respect to COUNT ONE of CLAIM, for failing to provide the plaintiff protection from the abuse, harassment and attack from officers against the plaintiff that resulted in bodily injuries and mental anguish causing pain and suffering.
3. 5,000 jointly and severally against Meldrum, Hutchinson, Major, Lewis, Nix, Rummel and Terrell, for excessive force that resulted in abdominal laceration and abrasions against the plaintiff, with respect to COUNT TWO, causing pain and suffering and mental anguish.
4. 5,000 jointly and severally against Meldrum, Hutchinson, Nix, Lewis, Major, Rummel, Terrell and John Doe, for Abuse of force with respect to COUNT FOUR that resulted in paresthesias to the plaintiff's hands causing pain and suffering and mental anguish.

E. Award punitive damage in the following amounts:

1. 10,000 each against defendants Meldrum, Hutchinson, Nix, Lewis, Major, Rummel, Terrell, Jolley, Clark, List, Sullivan and Baer, with respect to COUNT THREE.
2. 10,000 each against defendants Meldrum, Hutchinson, Major, Lewis, Rummel, Nix and Terrell, with respect to COUNT ONE.
3. 10,000 each against defendants Meldrum, Hutchinson, Major, Lewis, Nix, Rummel and Terrell, with respect to COUNT TWO.
4. 10,000 each against defendants Meldrum, Hutchinson, Major, Lewis, Nix, Rummel, Terrell and John Doe, with respect to COUNT FOUR.

F. Award discretionary damages each count as it may appear plaintiff is entitled.

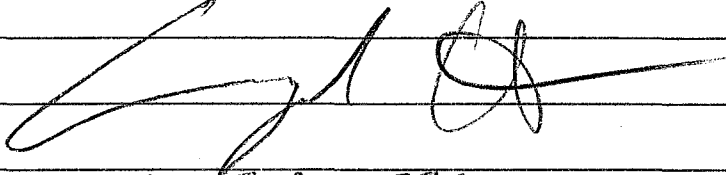
G. Award future damages for expected pain and suffering, loss or impairment of earning capacity, and projected medical or psychological expenses as it may appear plaintiff is entitled.

H. Grant such other relief as it may appear plaintiff is entitled.

VIII. RELIEF REQUESTED (PAGE 4)

20, December, 2021

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Angel C. Abreu', with a long horizontal stroke extending to the right.

ANGEL C. ABBEU

PO Box 130
FARMINGTON, UT 84025